

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**PRINCESS LOVE,**

**Plaintiff,**

**vs.**

**FAMILY DOLLAR STORES,**

**Defendant.**

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**NO.** CIV-14-526-D

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Family Dollar Stores<sup>1</sup> (“Family Dollar” or “Defendant”) hereby gives notice that it is removing this civil action to the United States District Court for the Western District of Oklahoma, based on the existence of federal-question jurisdiction. In support of this Notice of Removal, Defendant respectfully shows the following:

**A. PROCEDURAL HISTORY**

Plaintiff, Princess Love<sup>2</sup> (“Plaintiff”), filed her Petition in the Oklahoma County District Court on April 30, 2014. *See* “Plaintiff’s Petition,” Exhibit 1. In her Petition, Plaintiff specifically alleges, among other things, that Defendant’s actions violated Title VII of the Civil Rights Act of 1964 by discriminating and retaliating against Plaintiff because of her race and gender. *See id.* Removal is proper to this federal district and division because it embraces Oklahoma County, Oklahoma. *See* 28 U.S.C. § 116(c).

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<sup>1</sup> Defendant has been improperly named by Plaintiff in this lawsuit. The proper name is Family Dollar Stores of Oklahoma, Inc.

<sup>2</sup> Defendant understands and believes that Plaintiff also has been improperly named in this lawsuit, and that Plaintiff’s actual name is Princecess Love.

On May 3, 2014, Defendant Family Dollar was served with a copy of Plaintiff's Petition. *See* "Summons," Exhibit 2. Accordingly, this Notice of Removal is timely, pursuant to 28 U.S.C. § 1446(b), because it is being filed within thirty (30) days after Defendant first received a copy of Plaintiff's Petition.

Defendant has not yet filed an Entry of Appearance or Answer in Oklahoma County Court. A copy of the docket sheet in the State Court Case is attached hereto as Exhibit 3. These documents constitute all process, pleadings and orders thus far in the case.

Defendant will give prompt written notice of the filing of this Notice of Removal to all adverse parties and will file a copy of same with the Clerk of the Oklahoma County District Court.

**B. FEDERAL QUESTION JURISDICTION EXISTS**

Plaintiff's claims arise under the laws of the United States of America. Title 28, Section 1331 of the United States Code states that United States District Courts "shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States." This Court has federal-question jurisdiction over this civil action because Plaintiff's Petition contains allegations of violations of federal law, and therefore, arises under the laws of the United States of America.

For example, Plaintiff alleges claims under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*, and expressly states that his claims are "founded upon the existence of a federal question...." *See id.* at ¶ 1. Plaintiff specifically alleges that Defendant discriminated against her because of her race and gender in violation of Title

VII of the Civil Rights Act. *Id.* at ¶ 12. And, she seeks damages for the alleged violation of federal law. *See id.* at p. 6 (“Count 1 Relief”).

Accordingly, this Court has subject matter jurisdiction over the action because Plaintiff seeks to recover damages on claims arising under the laws of the United States. 28 U.S.C. § 1331.

### **C. CONCLUSION**

By her own admission, Plaintiff’s claims arise under the laws of the United States. Accordingly, for the reasons shown above, this lawsuit may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. §§ 1441 and 1446, because this Court has original jurisdiction over this matter pursuant to 28 U.S.C. §§ 1331.

### **PRAYER FOR RELIEF**

Defendant Family Dollar respectfully requests that this Court assume jurisdiction over this civil action and proceed with its handling as if it had been originally filed in the United States District Court for the Western District of Oklahoma.

Respectfully submitted,

/s/ Adam W. Childers

Adam W. Childers, OBA No. 18673

CROWE & DUNLEVY  
20 North Broadway  
Oklahoma City, OK 73102-8273  
(405) 235-7700  
(405) 239-6651 (Facsimile)  
adam.childers@crowedunlevy.com

and

Steven L. Rahhal, OBA No. 12455  
Jonathan G. Rector, OBA No. 30691

LITTLER MENDELSON, PC  
2001 Ross Avenue  
Suite 1500, Lock Box 116  
Dallas, TX 75201.2931  
214.880.8100  
214.880.0181 (Fax)  
srahhal@littler.com  
jrector@littler.com

**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 21st day of May, 2014, a true and correct copy of the above and foregoing document was served upon counsel for Plaintiff via certified mail, return receipt requested, as follows:

E. Ed Bonzie  
Bonzie Law Firm  
8201 S. Walker  
Oklahoma City, OK 73139

/s/ Adam W. Childers  
Adam W. Childers